

**Notice of Allowability**

Application No.

10/644,982

Examiner

Chih-Cheng Glen Kao

Applicant(s)

JURGEN, ZIMMERMANN

Art Unit

2882

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/3/04.
2. ☒ The allowed claim(s) is/are 1-11 and 13-23.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☒ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: DE 101 08 296.7.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Adesh Bhargava on June 4, 2004.

2. The application has been amended as follows:

The following changes to the drawings have been approved by the examiner and agreed upon by applicant: improving the contrast of Figure 1. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

### ***Drawings***

3. The drawings representing Figure 2 were received on May 14, 2004. These drawings are approved.

### ***Priority***

4. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Germany on 2/21/2001. It is noted, however, that applicant has not filed a certified copy of the 10108296.7 application as required by 35 U.S.C. 119(b).

*Allowable Subject Matter*

5. Claims 1-11 and 13-23 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claim 1, prior art does not disclose or fairly suggest a system including a second storage area, in which a plurality of template images corresponding to different sensors of a dental X-ray apparatus are stored, and a processing unit, which places a selected template image of a sensor simulatively on an area to be examined of a digital image such that when a real X-ray image is created, the area to be examined is depicted completely and precisely, in combination with all the limitations in the claim. Claims 2-8 are allowed by virtue of their dependency.

Regarding claim 9, prior art does not disclose or fairly suggest a data medium containing a data structure including a template in the form of a digital x-ray sensor including a size and shape being scaled up by a factor corresponding to an x-ray image for displaying said x-ray image, in combination with all the limitations in the claim. Claims 10 and 11 are allowed by virtue of their dependency.

Regarding claim 13, prior art does not disclose or fairly suggest a method for specifying and/or positioning a digital sensor including a third step, during which there is selected, from a plurality of templates each of which is assigned to sensors of a dental X-ray apparatus, that template which covers an area specified in a second step most precisely, in combination with all the limitations in the claim. Claims 14, 16, and 21 are allowed by virtue of their dependency.

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Regarding claim 15, prior art does not disclose or fairly suggest a method for specifying and/or positioning a digital sensor including a third step, during which a selected template is moved across an x-ray image for purposes of control and an imaging area appertaining to the selected template is thus revealed, second and third steps being iteratively continued until a suitable combination of sensor and imaging area is displayed, in combination with all the limitations in the claim. Claims 17 and 22 are allowed by virtue of their dependency.

Regarding claim 18, prior art does not disclose or fairly suggest a method for creating a number of partial images using a plurality of sensors including a second step in which there is effected automatic selection and display of at least one sensor for creating a respective image, in combination with all the limitations in the claim. Claims 19, 20, and 23 are allowed by virtue of their dependency.

### ***Conclusion***

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chih-Cheng Glen Kao whose telephone number is (571) 272-2492. The examiner can normally be reached on M - F (9 am to 5 pm).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on (571) 272-2490. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



gk



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PRIMARY EXAMINER